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STATE DEPARTMENT SECURITY

TESTIMONY OF DAVID I. BELISLE

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY UNITED STATES SENATE

EIGHTY-EIGHTH CONGRESS

FIRST SESSION

PART 1

NOVEMBER 14, 1963

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RESOLUTION

Resolved by the Internal Security Subcommittee of the Senate Committee on the Judiciary, That the testimony given in executive session by Thomas Ehrlich and David I. Belisle on November 14, 1963, be released from the injunction of secrecy, printed and made public.

Dated December 25, 1963.

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STATE DEPARTMENT SECURITY

THURSDAY, NOVEMBER 14, 1963

U.S. SENATE,
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:35 a.m., in room 2300, New Senate Office Building, Senator James O. Eastland, chairman, presiding.

Present: Senators Eastland, John L. McClellan, Thomas J. Dodd, Everett McKinley Dirksen, Roman L. Hruska, Kenneth B. Keating, and Hugh Scott.

Also present: J. G. Sourwine, chief counsel; Alan D. McArthur, associate counsel; Samuel J. Scott, assistant counsel; and Benjamin Mandel, director of research.

Senator DODD. Mr. Belisle, will you raise your right hand. Do you solemnly swear that the testimony you will give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BELISLE. I do.

TESTIMONY OF DAVID I. BELISLE, SPECIAL ASSISTANT TO DEPUTY ASSISTANT SECRETARY FOR SECURITY, DEPARTMENT OF STATE

Mr. SOURWINE. Would you give the reporter your full name.

Mr. BELISLE. David I. Belisle.

Mr. SOURWINE. And your connection with the Department of State?

Mr. BELISLE. Special assistant to the Deputy Assistant Secretary for Security.

Mr. SOURWINE. You are the same Mr. Belisle who has testified before this committee earlier?

Mr. BELISLE. Right, sir.

Mr. SOURWINE. Mr. Belisle, I show you what purports to be a letter on State Department stationery under date of November 6 bearing your signature and addressed to Senator Eastland. Do you recognize it as your own letter?

Mr. BELISLE. Yes, sir.

Mr. SOURWINE. May this be ordered into the record?

Senator DODD. Yes.

Senator DIRKSEN. Why not refresh us on the——

Mr. SOURWINE. I thought I would ask questions.

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In this letter, Mr. Belisle, you say that in the course of your testimony on July 29 before this subcommittee you were asked whether you had any information concerning the interceptions of conversations in Mr. Otepka's office and you replied that you did not. You then say that after a review of your testimony you want to amplify your responses to the questions by stating that Mr. Reilly mentioned to you the events which you understand he has described in a separate letter with an accompanying enclosure.

Does that indicate that you had an opportunity to see Mr. Reilly's letter and the enclosure?

Mr. BELISLE. Yes, sir.

Mr. SOURWINE. How did that come about? Did he bring them to you or call you in and show you or did you have a meeting with him on it?

Mr. BELISLE. No. We had a meeting in the office of the Legal Adviser and——

Mr. SOURWINE. I see. Mr. Chayes?

Mr. BELISLE. Yes.

Mr. SOURWINE. Was he there?

Mr. BELISLE. No, sir; he was not.

Senator DODD. But he——

Senator DIRKSEN. He was not?

Mr. BELISLE. You mean Mr. Chayes.

Mr. SOURWINE. Yes.

Senator DIRKSEN. He was there?

Mr. BELISLE. No, sir; he was not.

Mr. SOURWINE. Mr. Reilly was?

Mr. BELISLE. Yes.

Mr. SOURWINE. Mr. Hill was there, too?

Mr. BELISLE. Yes.

Mr. SOURWINE. Elmer Hill?

Senator DODD. Anybody else?

Mr. BELISLE. Mr. Ehrlich.

Mr. SOURWINE. And no one else from the Legal Adviser's office?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Were all three of the letters drafted in the Legal Adviser's office or——

Mr. BELISLE. Yes, sir.

Mr. SOURWINE. Or did you draft your own?

Mr. BELISLE. They were all drafted in the Legal Adviser's office.

Mr. SOURWINE. By Mr. Ehrlich?

Mr. BELISLE. Well, I am sure—well, you mean specifically by him, no. It was all in——

Mr. SOURWINE. In consultation with yourself and between Mr. Ehrlich and Mr. Reilly on his?

Mr. BELISLE. Yes.

Mr. SOURWINE. And between Mr. Ehrlich and Mr. Hill on his?

Mr. BELISLE. Right, sir.

Mr. SOURWINE. You state he, referring there to Mr. Reilly, "mentioned these events to me, however, only after the events occurred."

Mr. BELISLE. Right, sir.

Mr. SOURWINE. Do you remember when he did mention to you the substance of the matters which are contained in his letter?

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Mr. BELISLE. Well, I am not exactly sure of the date for one reason. I really don't know whether it happened the day I came back from Costa Rica or the day after, but probably the 21st or 22d, I would say.

Mr. SOURWINE. Of what month?

Mr. BELISLE. Of March.

Mr. SOURWINE. Of March of this year?

Mr. BELISLE. That is right.

Mr. SOURWINE. You say, "At the time the events took place I was in Costa Rica."

Mr. BELISLE. Right.

Mr. SOURWINE. By "events" you are referring primarily to the hookup which converted Mr. Otepka's telephone into a listening device?

Mr. BELISLE. Right, sir.

Mr. SOURWINE. That was done while you were away?

Mr. BELISLE. That is right, sir.

Mr. SOURWINE. Now, was it still hooked up as a listening device when you got back?

Mr. BELISLE. No, sir. Not from—I can't speak from firsthand knowledge. From what I have been told it was not.

Mr. SOURWINE. You never talked with anyone about the hookup after that day?

Mr. BELISLE. No.

Mr. SOURWINE. I mean about its being hooked up after that day.

Mr. BELISLE. No, sir. No, sir.

Senator DIRKSEN. Mr. Sourwine, that would mean how long was—as an allegation—the hookup was in force.

Mr. SOURWINE. Well, Mr. Reilly's letter contains an amplifying statement which says that——

Senator DIRKSEN. Do you want to hold that for later?

Mr. SOURWINE. I thought I would if it is all right. We will get it in the record.

Senator DIRKSEN. OK.

Mr. SOURWINE. You say you had, therefore, no firsthand information concerning these events.

Mr. BELISLE. Right, sir.

Mr. SOURWINE. Now, were you consulted at all before this was done?

Mr. BELISLE. No, sir.

Mr. SOURWINE. You were not consulted about how it might be done?

Mr. BELISLE. Well, we discussed the fact of what we—of the different investigative techniques but no consultation as to what would be done and how it would be done or anything.

Mr. SOURWINE. You did discuss with Mr. Reilly in advance of your departure for Costa Rica the technique of bugging the Otepka telephone?

Mr. BELISLE. No, not the technique. The fact that this is an investigative—I don't want to say technique, but let us say an investigative instrument such as surveillance or anything else.

Mr. SOURWINE. Well, you did discuss this particular investigative instrument, as you put it, with Mr. Reilly in connection with the surveillance of Mr. Otepka before you left for Costa Rica?

Mr. BELISLE. I discussed with Mr. Reilly the various investigative techniques that could be used in an investigation of this type and as to what we were looking for and how we would go about getting it.

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Now, as to saying I discussed this specific technique of making the telephone a microphone, no.

Mr. SOURWINE. I see. You didn't suggest the possibility of converting the telephone into a listening device?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Did you suggest as a possible technique or method any kind of a listening device that might be installed in Mr. Otepka's office?

Mr. BELISLE. Suggest—we discussed the fact that we could—there was a possibility that you could bug his telephone and you could bug his room.

Mr. SOURWINE. Yes. Well, the techniques of bugging a telephone or room or putting a listening device in a room and making the telephone a listening device are well known to both you and Mr. Reilly, aren't they?

Mr. BELISLE. I am sure——

Mr. SOURWINE. So you both knew this was possible?

Mr. BELISLE. That is right.

Mr. SOURWINE. It wasn't either one of you telling the other it was possible?

Mr. BELISLE. No.

Mr. SOURWINE. State Department people are well versed in this?

Mr. BELISLE. It was a question of discussing whether or not we would take this avenue.

Mr. SOURWINE. You then did discuss with Mr. Reilly whether you would take this avenue of surveillance?

Mr. BELISLE. The possibility, not whether we would.

Mr. SOURWINE. Not whether you would? You didn't try to reach a decision?

Mr. BELISLE. That is right.

Mr. SOURWINE. Just discussed it as a possibility?

Mr. BELISLE. That is right.

Mr. SOURWINE. And then did you go to Costa Rica with the understanding that Mr. Reilly would make a decision on whether or not to do it?

Mr. BELISLE. I did not go to Costa Rica with that; no, Mr. Reilly decided that the only thing that we would do at that time was to cover the burn bag, nothing else. Before I went to Costa Rica——

Mr. SOURWINE. How long were you in Costa Rica?

Mr. BELISLE. I left on the 17th of March and, as I say, I don't remember whether it was the 21st or 22d when I came back, but whenever the party came back, I came back with it.

Mr. SOURWINE. I see. Now, this letter which you have furnished and which you say amplifies your responses to the previous questions, is this the whole story? In other words, is this letter the truth, the whole truth, and nothing but the truth?

Mr. BELISLE. That letter is the truth. That letter says that—with that I amplify my testimony, that I answered your questions, so far as I was concerned, truthfully but that there was no intent to mislead and that I am telling you that I knew of events only after they transpired.

Mr. SOURWINE. Now, with this letter and your previous testimony have you now conveyed to the committee all the information you have

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about the bugging of Mr. Otepka's telephone or the installation of a listening device in his office?

Mr. BELISLE. Right, sir.

Mr. SOURWINE. Do you know anything about the installation of a listening device in the outer office where the stenographers sit in the Division of Evaluations?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Do you know whether that was done at any time this year?

Mr. BELISLE. I do not know.

Mr. SOURWINE. No one has told you whether it was done?

Mr. BELISLE. No one has told me whether it was done or wasn't done.

Mr. SOURWINE. All right. You indicate in this letter that you want to amplify your responses after a review of your testimony. Did you mean by that to indicate that it was your review of your testimony which caused you to feel that you wanted to amplify your responses?

Mr. BELISLE. Well, I really don't think so. I think the reason I wanted to amplify is—that the Secretary wanted to amplify it—was that the committee felt that it had been misled. So, therefore, I thought that if they thought I was misleading them, we should amplify the testimony.

Mr. SOURWINE. You mean this letter and Mr. Reilly's letter and Mr. Hill's letter were written in response to or in compliance with the instructions of the Secretary to amplify the thing?

Mr. BELISLE. Well, I think that—I don't think they were instructions. Requests.

Mr. SOURWINE. Yes. Well, in your own case how did this request come to you?

Mr. BELISLE. Well, this request came to me from Mr. Ehrlich.

Mr. SOURWINE. From the Secretary through Mr. Ehrlich?

Mr. BELISLE. Yes.

Mr. SOURWINE. And just what was it that Mr. Ehrlich told you?

Mr. BELISLE. Mr. Ehrlich asked me if I would prepare a letter to the chairman of the committee stating, in effect, why I answered the questions as I did and amplify my testimony—amplify my testimony to explain why I——

Mr. SOURWINE. And you said this was because the Secretary wanted it done.

Mr. BELISLE. Well, I would imagine the Secretary requested that it be done.

Mr. SOURWINE. Well, didn't he tell you anything about the Secretary wanting it done?

Mr. BELISLE. He told me the Secretary wanted it done, yes, sir.

The CHAIRMAN. I didn't hear you.

Mr. BELISLE. He told me that the Secretary wanted it done.

Senator DIRKSEN. Well, was there any other conversation on that point?

Mr. BELISLE. Sir?

Senator DIRKSEN. Was there any other conversation on that point? Surely when Mr. Ehrlich came and said you are to prepare a letter, he would have to say the Secretary wanted you to prepare a letter. There probably was other conversation, wasn't there?

Mr. BELISLE. Oh, yes. I wanted to know——

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Senator DIRKSEN. Yes. Can't you enlighten us a little?

Mr. BELISLE. Well, I asked Mr. Ehrlich: Well, why should I enlighten my testimony, I mean amplify on my testimony? I have answered the questions, so far as I am concerned, truthfully. I was not here at the time that these events took place and it was my considered judgment that I would not testify to hearsay information, so I answered the questions as I did.

Mr. Ehrlich said that the Secretary thought that he wanted to get this thing in the record to show that I had been advised of the events after testimony and I was not here at the time, and so it was all right. If the Secretary wants it, I will do it.

Mr. SOURWINE. The Secretary didn't tell you what to say.

Mr. BELISLE. No, sir. I never have talked——

Mr. SOURWINE. Nor did Mr. Ehrlich tell you what to say.

Mr. BELISLE. I never talked to the Secretary.

Mr. SOURWINE. Mr. Ehrlich didn't convey a message telling you what to say.

Mr. BELISLE. No, sir.

Mr. SOURWINE. He simply told you to amplify it and explain it if there was any explanation?

Mr. BELISLE. Right.

The CHAIRMAN. He told you to tell all the truth, didn't he?

Mr. BELISLE. Yes, sir.

Senator MCCLELLAN. What I don't quite understand is: When you were here and testified and were being interrogated, you had the same knowledge and information then that you conveyed in the letter, did you not?

Mr. BELISLE. I had; yes, sir, but——

Senator MCCLELLAN. Did you not know from the questions asked you that the committee was seeking information regarding those wiretaps and getting of testimony and information in that manner? You knew that is what they were inquiring about, didn't you?

Mr. BELISLE. Yes, sir.

Senator MCCLELLAN. Did you feel that in not disclosing what you had heard and what you had been told down there did you not feel at that time that you were withholding from this committee information that it wanted and needed?

Mr. BELISLE. Senator, in my own judgment I did not consider that I was withholding any information, inasmuch as I felt that I had the information secondhand. It was hearsay information.

Senator MCCLELLAN. It wasn't very secondhand from those who did it—told you they did it. That wasn't very secondhand, was it?

Mr. BELISLE. Hearsay.

Senator MCCLELLAN. You don't regard that as secondhand, do you?

Mr. BELISLE. I regard it as secondhand: yes, sir. Hearsay.

Senator MCCLELLAN. You mean if a fellow sits here and tells you, "I did a thing," tells you that, you regard it as secondhand and you felt the committee didn't need to know that he had told you that when you were testifying before?

Mr. BELISLE. Well, that was my judgment, sir.

Senator MCCLELLAN. At the time—you mean that was your honest judgment at the time you sat there and testified?

Mr. BELISLE. That was my honest judgment at the time I sat here and testified.

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Senator DIRKSEN. You stated a little bit ago that you went to Costa Rica in March; 17th of March.

Mr. BELISLE. Right.

Senator DIRKSEN. But before you went, there was conversation about bugging this telephone. Then you said that no decision was made.

Mr. BELISLE. That is right.

Senator DIRKSEN. Well, why don't you enlighten us a little more, that before you went—what was the burden of this conversation? Should we bug his telephone? Shouldn't we bug his telephone? Surely somebody said to you, "What do you think about it?"

Mr. BELISLE. No, Senator. What we did was discuss the various investigative techniques which could be used to get us the information that we were looking for.

Senator DIRKSEN. Well, you couldn't come to that conclusion until first—when you talk about techniques—there had to be a determination should it be done. The question of how to do it was quite another thing. Shall we put a tap on his phone?

Mr. BELISLE. Yes, that is true.

Senator DIRKSEN. Well, did you conclude at that time——

Mr. BELISLE. No, we did not conclude at that time.

Senator DIRKSEN (continuing). ——to put a tap on his wire?

Mr. BELISLE. No. The only thing that was concluded at that time was that we would cover his burn bag.

Senator DIRKSEN. Burn bag?

Mr. BELISLE. Yes, sir.

Senator DIRKSEN. And you never said anything about bugging the telephone?

Mr. BELISLE. No, sir. I mean we discussed—the only decision that was made was that we would cover his burn bag.

Senator DIRKSEN. Now, you came back a week later; you came back of the 24th of March.

Mr. BELISLE. Yes; right.

Senator DIRKSEN. Now, did you resume that conversation; have a further discussion about it?

Mr. BELISLE. No, sir. At that time Mr. Reilly—when I returned Mr. Reilly showed me what he had retrieved from the burn bag and said, as a result of this, we will do nothing else.

Senator DIRKSEN. And you mean there was no discussion about the bug?

Mr. BELISLE. Oh, at that time, yes. He told me that we—that they had made the—studied the feasibility of getting this thing in there and the thing had fizzled. They got nothing but noise, and he pulled it out.

Senator DIRKSEN. Then he did tell you that a bug was tried, shortly after you got back from Costa Rica.

Mr. BELISLE. Right.

Senator HRUSKA. Now, Mr. Witness, in your testimony on July 29 this question was asked you:

> Do you have any information with respect to the tapping of the telephone of Mr. Otto Otepka, Chief of the Division of Evaluations of the Department of State?

Mr. BELISLE. Right.

Senator HRUSKA. The answer was "No, sir."

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The CHAIRMAN. Now, wait a minute. Was that a truthful answer?

Senator HRUSKA. Was that a truthful answer?

Mr. BELISLE. I have to say, sir, in my judgment that was a truthful answer and I based that on the fact that I did not feel that I had to testify to hearsay information.

Senator HRUSKA. Mr. Belisle, the question is: Do you have any information with respect to it? It doesn't mean firsthand, secondhand, thirdhand, or any other kind. The question was plain: Do you have any information with respect to the tapping of that telephone? Now, Mr. Belisle, do you want to sit there and tell us that in your best judgment at that time you did not have any information on it?

Mr. BELISLE. Sir, I am not saying that. I am saying that in my——

The CHAIRMAN. Was your answer truthful now?

Mr. BELISLE. In my own judgment I said that I felt that, inasmuch as I did not have any firsthand information, that I could answer the question, "No."

Senator HRUSKA. That is not what you said. You said, "No, sir."

Mr. BELISLE. That is right.

Senator HRUSKA. Let me ask you this question: Did you, on July 29, 1963, have any information with respect to the tapping of the telephone of Mr. Otto Otepka, the Chief of the Division of Evaluations of the Department of State?

Mr. BELISLE. I had no firsthand information, sir. I had information——

Senator HRUSKA. What information did you have at that time?

Mr. BELISLE. I had information that was told to me by Mr. Reilly that they tried to do it and that fizzled.

Senator HRUSKA. Well——

Senator DIRKSEN. That is information.

Senator HRUSKA. The next question was:

Do you know whether this was done?

And the answer was:

No, I do not.

Mr. BELISLE. Right.

Senator HRUSKA. Is that a truthful answer in your judgment?

Mr. BELISLE. In my judgment I felt that I—as I said before, this being hearsay information, I do not know that this was done. I still do not know that this was done.

Mr. SOURWINE. Do you doubt Mr. Reilly's statement?

Mr. BELISLE. No, I do not.

Mr. SOURWINE. Do you think it was done?

Mr. BELISLE. I do not know, but it was a question——

The CHAIRMAN. That is not the question. He asked him if he had information. He said he didn't.

Senator DODD. Are you a lawyer?

Mr. BELISLE. No, sir; I am not.

Senator DODD. You don't really know what hearsay is, technically?

Mr. BELISLE. No, sir. Except——

The CHAIRMAN. But you did have information, didn't you?

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Mr. BELISLE. I had information which, in my judgment, was hearsay.

The CHAIRMAN. Of course, you had information. Come on, now. You did have information, didn't you?

Mr. BELISLE. Hearsay information.

The CHAIRMAN. All right. You had it.

Mr. BELISLE. Hearsay.

The CHAIRMAN. And you told this committee you didn't have.

Mr. BELISLE. I gave you the reason why I told you.

Senator HRUSKA. Now, Mr. Belisle, the next question in the series is:

Did you have anything to do with the placing of a listening device in Mr. Otepka's office?

Mr. BELISLE. I said "No."

Senator HRUSKA. Your answer was, "I did not, sir."

Mr. BELISLE. Right, sir.

Senator HRUSKA. Now, "anything" would embrace also discussion of whether or not that should be resorted to as a device of getting information about Mr. Otepka, would it not?

Mr. BELISLE. Well, not in my judgment, no, sir.

Senator HRUSKA. Not in your judgment?

Mr. BELISLE. No, sir.

Senator HRUSKA. The fact that you had discussed this preliminarily with Mr. Reilly would not be an item bearing on this question in your judgment?

Mr. BELISLE. Not in my judgment; no, sir.

Senator HRUSKA. It would not.

Mr. BELISLE. No, sir.

Senator HRUSKA. Now then, the next question was: "Do you know if this was done?"

And your answer was: "I do not."

Mr. BELISLE. Right.

Senator HRUSKA. Now then, let me ask you this question as of now: Did you know, on July 29, 1963, that a listening device had been placed in Mr. Otepka's office?

Mr. BELISLE. Well, let me say that, when you are talking about listening device, I think everybody has his own interpretation of it. I understood Mr. Sourwine to say did I place a listening device in his office. I answered "No." Did I know if it had been done, and I took Mr. Sourwine to mean was there a microphone placed in his office, and I said "No."

Senator HRUSKA. Mr. Belisle, perhaps you might have thought a microphone was involved but the plain question was whether you knew a listening device had been placed in Mr. Otepka's office. That was the plain question. It didn't say microphone. It said a listening device.

The CHAIRMAN. Did he have knowledge of a listening device.

Senator HRUSKA. And did you know if this was done. My question then is this: Did you know, on July 29, 1963, that a listening device had been placed in Mr. Otepka's office?

Mr. BELISLE. As I say again, Senator, I had no first-hand knowledge and that is why I answered——

Senator HRUSKA. Had you been told at that time that a listening device had been placed?

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Mr. BELISLE. No. I had been told that they had tried it and it didn't work, and a listening——

Senator HRUSKA. Who told you?

Mr. BELISLE. A listening device? No.

Senator HRUSKA. Who told you?

Mr. BELISLE. Mr. Reilly.

Mr. SOURWINE. Mr. Reilly told you many things about the work of the office and what went on while you were away, didn't he?

Mr. BELISLE. Yes and no.

Mr. SOURWINE. Isn't it his purpose, when he tells you something, so that you will know what happened?

Mr. BELISLE. I would imagine, yes.

Mr. SOURWINE. When he told you that there had been a listening device placed in Otepka's office through the conversion of the phone into such a device, didn't you then know that it had happened?

Mr. BELISLE. Well, I don't really know as Mr. Reilly told me exactly what had happened, to tell you the truth, except that they tried to bug the office and it fizzled.

Mr. SOURWINE. You said earlier, if I understood you correctly, that the State Department had people who were well-versed in the techniques of bugging telephones. Isn't that right?

Mr. BELISLE. I said that?

Mr. SOURWINE. Did you? I am asking you.

Mr. BELISLE. I don't know as I said that.

Mr. SOURWINE. Well, are you familiar with these techniques?

Mr. BELISLE. No, sir; I am not.

Mr. SOURWINE. Do you know whether there is anybody in the State Department who is versed in these techniques?

Mr. BELISLE. Oh, I imagine there are technical people.

Mr. SOURWINE. Do you know?

Mr. BELISLE. Sure.

Mr. SOURWINE. Well, there are such people, are there not?

Mr. BELISLE. I would say there are such people.

Mr. SOURWINE. Aren't they competent to do a good workmanlike job?

Mr. BELISLE. I should hope so.

Mr. SOURWINE. They use this technique constantly in countering enemy surveillance, don't they?

Mr. BELISLE. I don't know.

Mr. SOURWINE. You don't know.

Mr. BELISLE. No, sir; I do not know.

Senator HRUSKA. Have you been told that they do?

Mr. BELISLE. No, sir.

Senator HRUSKA. You haven't been told that they use wiretapping in counter——

Mr. BELISLE. Oh; he is talking about the technique of making the telephone into a microphone, right.

Mr. SOURWINE. That was included, yes. Don't you have people in the Department who are well versed in this technique?

Mr. BELISLE. I don't think we have people in the Department who — I agree they probably are well versed in this technique but to my knowledge they are not using this technique.

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Mr. SOURWINE. Don't you think that someone in the State Department could have used this technique on Mr. Otepka's phone and made it work?

Mr. BELISLE. Yes.

Mr. SOURWINE. If they couldn't make it work, they are not competent in their job, are they?

Mr. BELISLE. Well, that is not for me to say, I don't think.

Senator DODD. Mr. Belisle, another question if I may. You were asked this question by Mr. Sourwine:

> Can you tell us what the policy is in the Office of Security in the State Department? If the Office or head of the Office thought the employee might be a security risk, did he have the right to tap the telephone and put a listening device in it?

The answer was:

> I really don't know, and in the Department of State it hasn't come up since I have been there.

Well, it had come up. You talked with Reilly about it.

Mr. BELISLE. No, sir. I—Senator, I think he said "is it the policy" and very honestly I don't know whether it is the policy or whether we had the right. Is that right?

Senator DODD. Well, I just wanted to give you a chance to explain your answer. It appears to me from reading the record that it had come up. You and Reilly had talked about it.

Mr. BELISLE. Well, Senator, we only discussed the possibility of, as I say, the various avenues of investigation. But the question as to whether this is legal or whether it was State Department policy; no, sir.

Senator DODD. I see.

Senator MCCLELLAN. May I ask one question at that point? Did all of this arise out of a purpose to ascertain what cooperation he was giving to this committee?

Mr. BELISLE. Yes, sir.

Senator MCCLELLAN. The whole—all of this that you are discussing here, the wiretapping, the searching of the bags, and everything else was to try to ascertain to what extent Otepka was cooperating with this committee in supplying it information that it requested. Isn't that correct?

Mr. BELISLE. Well, I think the whole intent was to determine what information he was giving to the committee.

Senator MCCLELLAN. That is right. That is the purpose of tapping his wire. That is the reason you discussed it in the first place.

Mr. BELISLE. That is right, sir.

Senator MCCLELLAN. Yes.

Mr. SOURWINE. Mr. Belisle, you made a statement a short time ago about a microphone. Is it true that no microphone was placed in Mr. Otepka's office?

Mr. BELISLE. To my knowledge that is true.

Mr. SOURWINE. Is it true that no microphone was placed in the outer office where the secretaries are?

Mr. BELISLE. To my knowledge that is true.

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Mr. SOURWINE. Is it true that no other telephone than Mr. Otepka's in the office, in the Division of Evaluations, was bugged or converted into a listening device?

Mr. BELISLE. To my knowledge that is true.

Senator DIRKSEN. How well and how often did you visit with Mr. Hill and Mr. Schneider? Do you know them quite well?

Mr. BELISLE. No, sir. They are not really in my——

Senator DIRKSEN. Well, they are technicians.

Mr. BELISLE. Yes, sir.

Senator DIRKSEN. Because they spoke very freely about how to do it and how to go about it. Didn't you pick up information from them at any time about it?

Mr. BELISLE. No, sir.

Senator DIRKSEN. About bugging the phone?

Mr. BELISLE. I haven't—let's see. I came—during the first, let's see, the first of January I was—the first of January, somewhere about that time, I was on a survey of the Office of Security. I had not discussed this technique with these technicians before. I have discussed it since.

Senator DIRKSEN. Yes; but, Mr. Belisle, how did you hold such a responsible job and not know something about the technique of putting a tap on a wire, in fact, any kind of a tap, and all these newfangled devices?

Mr. BELISLE. Well, Senator, you rely on technical men and experts to do this sort of work.

Senator DIRKSEN. Yes; but as a general pattern, you should have some background of information on that general subject.

Mr. BELISLE. Well, I have some general information to know that it can be done and—but how it is done or how you do it or could I do it; no, I couldn't.

Senator DIRKSEN. Yes; but you are in a supervisory capacity.

Mr. BELISLE. Right, sir.

Senator DIRKSEN. In a security office.

Mr. BELISLE. Yes, sir.

Senator DIRKSEN. Well, you astonish me a little, I must say.

Mr. BELISLE. Sir?

Senator DIRKSEN. You astonish me when you say that.

Mr. BELISLE. That I can't put a tap on it?

Senator DIRKSEN. That you don't have some background.

Mr. BELISLE. Well, I said I know that this is a technique and it can be done.

Senator DIRKSEN. Well, that is not background.

Mr. BELISLE. But putting it on, this is a matter that technicians—that is why you have technicians. I am sure many of the people in the investigative field that conduct investigations, all of them don't know how to put on taps or anything else. When they have this to do, they go to the technicians.

Senator DIRKSEN. How long have you been in the security field?

Mr. BELISLE. I have been in the security field practically all my life, since 1941, sir.

Senator DIRKSEN. Well, you make me feel that you haven't pursued your responsibilities, I must say.

Mr. BELISLE. I am sorry, sir, you feel that way.

Senator DIRKSEN. What other conclusion can a man reach?

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Senator KEATING. As I understand Senator Dirksen's question, it wasn't directed to whether you could walk in and put a tap on the phone but instead, whether you have any knowledge about the technique.

Senator DIRKSEN. Generally speaking, how it is done, how you go about it?

Mr. BELISLE. Well, if you are talking about putting a tap on a phone, sure, I know that the thing to do is go into the frame and tap in on the frame.

Senator DIRKSEN. Well, you know more about it than that, surely.

Mr. BELISLE. Sir?

Senator DIRKSEN. You know more about it than that. I wouldn't think a security officer, supervisor, would be worth his salt in his company if he didn't know more about it than what you confess knowing about this matter.

Mr. BELISLE. Well, Senator, maybe we are not on the—maybe I am not with you but I don't understand what you mean. Do you mean that in order to be a security officer I have to be competent to place a tap? I have to be knowledgeable? I concede that. I know that there are ways that you can do certain things to get information but it doesn't mean that I know how to do it. I don't know how to do it. But I certainly have knowledge that it can be done.

Senator DIRKSEN. Well, I wouldn't expect you to go in there with a pair of pliers and a screwdriver and actually put on the tap, but if you don't know the theory of tapping a wire and how it is done, that is beyond me.

Mr. BELISLE. Well, I am sorry if I gave you that impression, sir. I certainly know that you go to the frame room and tap in, yes.

Senator DODD. What is the frame?

Mr. BELISLE. The telephone room where all the frames are.

Senator DODD. Don't you know more than that about it?

Mr. BELISLE. Well——

Senator DODD. Wouldn't you know how to dismantle a hand set, how that is done?

Mr. BELISLE. To——

Senator DODD. You know, there is a technique of tapping on a hand set, isn't there?

Mr. BELISLE. I know that you can do this but I don't know how to do it, no, sir.

Senator DODD. You have never seen a thin microphone inserted under the mouthpiece?

Mr. BELISLE. No, sir.

Senator DODD. You never knew this was done?

Mr. BELISLE. Oh, yes, I knew it was done; yes, sir. I have never used it.

Mr. SOURWINE. Mr. Belisle, you have used the phrase earlier twice, "what we were trying to get." Once I think you said "how to get what we were trying to get"; and once you mentioned "getting what we were trying to get." What was it you were trying to get?

Mr. BELISLE. Well, as the Senator said, we were trying to get information to determine what information Mr. Otepka was furnishing to the committee.

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Mr. SOURWINE. Well, were you trying to learn that in the sense of trying to learn all that he was telling the committee, as much as you could about it?

Mr. BELISLE. Why, sure.

Mr. SOURWINE. Or were you simply trying to get evidence that he had furnished the committee information?

Mr. BELISLE. Well, we were trying to—I would say probably both. We were trying to find out—we were trying to get evidence that he was and trying to find out what he was giving.

Mr. SOURWINE. Do you think that what you found in the burn bag gave you all the possible information about what information Mr. Otepka had given the committee?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Don't you think if the tap, or listening device, had been maintained longer than 2 days you might have learned more?

Mr. BELISLE. We probably would have.

Mr. SOURWINE. But you understand that it was Mr. Reilly's decision to take that tap off after 2 days?

Mr. BELISLE. Right, sir.

Mr. SOURWINE. How do you know it was taken off after 2 days?

Mr. BELISLE. I don't know it was, except that he told me it was.

Mr. SOURWINE. You believe him, don't you?

Mr. BELISLE. Yes, sir.

Mr. SOURWINE. You believe him that it was put on?

Mr. BELISLE. Right.

Mr. SOURWINE. You believe him that it was taken off. And you believed him when he told you, didn't you?

Mr. BELISLE. I know that there was no evidence other than what came out of the burn bag.

Senator MCCLELLAN. I didn't understand that. You know there was no other evidence except what?

Mr. BELISLE. Came out of the burn bag.

Senator MCCLELLAN. How do you know there was no other evidence? How do you know that telephone tap didn't work? How can you say now you know that, when you were so technical about not acknowledging you had information?

Mr. BELISLE. Well, Senator, I am only saying that the evidence in the case against Mr. Otepka came from the burn bags.

Senator MCCLELLAN. Well, you are saying that but I am asking you how did you know it didn't come from a wiretap? I don't believe this dubious story that you tapped it and got no information because you weren't capable of tapping it properly.

Mr. BELISLE. Well, the information in the case of Mr. Otepka has been documented as coming from the burn bags.

Senator MCCLELLAN. I don't care how it has been documented. The point I am making, how do you know that it didn't come from the wiretap? Wiretap was put on. Now you are trying to contend that it was defective, that you got nothing from it. I can't understand the security officers of the State Department in that business not being capable of putting on a successful wiretap on a telephone in their own department. It doesn't make sense to me. If so, if they can't do that, competently, I don't know what they can do on the outside where they have far more difficulty trying to apply the tap.

Senator DODD. This is the Security Office.

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Senator McClellan. This is the Security Office. They can't do it in their own office successfully. It doesn't make sense to me.

Mr. Sourwine. Mr. Belisle, who listened on the phone while it was tapped? Do you know?

Mr. Belisle. No, sir.

Mr. Sourwine. Have you been told?

Mr. Belisle. No, sir.

Senator Dirksen. Did you listen?

Mr. Belisle. No, sir; I really don't know if anyone listened.

Mr. Sourwine. Have you conducted any surveys to determine there has been any tapping at any time since you returned from Costa Rica in March?

Mr. Belisle. Have I conducted any surveys?

Mr. Sourwine. Yes.

Mr. Belisle. Yes; I had my own phone checked.

Mr. Sourwine. Did you make inquiries about the tapping of any other phone, the conversion of any other phone to a listening device?

Mr. Belisle. No, sir.

Mr. Sourwine. What did you find out with regard to your own telephone?

Mr. Belisle. They tell me it was all right. I had the telephone man up and he said they were having much trouble with the telephones in the Department at the time.

Mr. Sourwine. Mr. Belisle, when you were given your message——

Senator Dodd. Wait a minute. What do you mean? What did you understand he meant when he said much trouble?

Mr. Belisle. Well, at that time, Senator, there was quite a bit of moving around in the Department of State and you pick up your phone and dial a number and you wouldn't get the number. You probably would get somebody—butt in on someone else's conversation.

Senator Dodd. Mechanical trouble.

Mr. Belisle. Right, sir.

Mr. Sourwine. Now, Mr. Belisle, when you got your message, through Mr. Ehrlich, from the Secretary, was that in a conference between you and him alone or with you and Mr. Reilly or were you, Mr. Reilly, and Mr. Hill called together and talked to about it?

Mr. Belisle. I think we were talked to together.

Mr. Sourwine. You were all called to the Legal Adviser's office.

Mr. Belisle. Right.

Mr. Sourwine. And then Mr. Ehrlich gave you the message?

Mr. Belisle. Right.

Senator Dirksen. This only happened a few days ago. You say you think you talked together. Surely you should know.

Mr. Belisle. No; I think that I was the first one there, I am not sure.

Senator Dirksen. Yes; but who was there finally?

Mr. Belisle. Yes; I said before: Mr. Hill, Mr. Reilly, and myself.

Senator Dirksen. It was a fact.

Mr. Belisle. Sir?

Senator Dirksen. They were there.

Mr. Belisle. Yes, sir.

Senator Dirksen. You know they were there.

Mr. Belisle. Right.

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Senator DIRKSEN. So you don't think they were there. You know they were there.

Mr. BELISLE. I only said I thought that—well——

Senator DIRKSEN. Well, Mr. Belisle, don't leave it so inconclusive. Just say what the facts are.

Mr. BELISLE. I know, Senator, they were all there.

Senator DIRKSEN. All right.

Mr. SOURWINE. Mr. Belisle, were there any drafts of letters prepared when you got there?

Mr. BELISLE. Yes. I think that Mr. Ehrlich had prepared a draft which he discussed with me.

Mr. SOURWINE. And is the letter which you signed substantially the draft which Mr. Ehrlich had prepared when you got there?

Mr. BELISLE. Yes. A few changes.

Mr. SOURWINE. Had he talked to you about this matter before?

Mr. BELISLE. Yes, sir.

Mr. SOURWINE. Then he had talked to you at some time prior to your visit to his office?

Mr. BELISLE. Right, sir.

Mr. SOURWINE. When was that?

Mr. BELISLE. I really don't know.

Senator DODD. It seems to me it is like pulling teeth here.

Mr. BELISLE. I am not trying to be evasive here at all, sir. I mean he is asking me a specific question: When? Senator, I really don't know. I know that Mr. Ehrlich talked with me. On what specific date I don't know. Whether it was a week or 2 weeks.

Mr. SOURWINE. Was it as much as a week or 2 weeks before the date of the signing of this letter?

Mr. BELISLE. I don't know.

Mr. SOURWINE. Wasn't this whole thing, so far as you know, brought to your attention and brought to fruition in the letter all within a single day?

Mr. BELISLE. Repeat that again.

Mr. SOURWINE. Wasn't the whole matter of a supplementary letter or statement or amplification or correction of your testimony—the bringing of it to you, the suggestion of the idea, the conveyance of the Secretary's desire and the signature of the letter—wasn't that all involved within a single 24-hour period?

Mr. BELISLE. No, sir. I think we discussed that before.

Mr. SOURWINE. Well, do you want the committee to understand that the matter of the Secretary's desire for such a letter was discussed with you at some time a week or 2 weeks before the date of this letter?

Mr. BELISLE. No. I don't want the committee to think that.

Mr. SOURWINE. Well, what is the fact in that regard?

Mr. BELISLE. All right. Now, you asked me a question, Mr. Sourwine. You said "Had this been discussed before," and I said "Yes." Now you are asking me about that specific letter. Was it done in a 24-hour period? Yes.

Mr. SOURWINE. Well, had anyone told you, before the day this letter was signed, that the Secretary wanted you to amplify your statement?

Mr. BELISLE. Mr. Ehrlich had talked to me before.

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Mr. SOURWINE. As much as a week or 2 weeks before?

Mr. BELISLE. A week before or so. And—to answer your question as to whether or not he wanted me to amplify my testimony at that time, I don't know. He said we should talk about it.

Mr. SOURWINE. Where was that conference? In his office?

Mr. BELISLE. That was either in his office or my office.

Mr. SOURWINE. Was Mr. Reilly there, Mr. Belisle?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Was Mr. Hill there?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Was there ever a time when you and Mr. Reilly and Mr. Hill got together and discussed this and discussed your mutual recollections with respect to it?

Mr. BELISLE. No. Only that night when we prepared the letters.

Mr. SOURWINE. Only the one night when you prepared the letters.

Mr. BELISLE. Yes.

Mr. SOURWINE. Are you aware of the colloquy that took place on the floor of the Senate between Senator Dodd, the vice chairman of this committee, and Senator Thurmond of South Carolina the night before the date of this letter?

(Mr. Belisle nods in affirmative.)

Mr. SOURWINE. You are aware that, in that statement on the floor, Senator Dodd stated that the committee had evidence that this had been done and there was mention of possible perjury?

Mr. BELISLE. Right, sir.

Mr. SOURWINE. Did that have anything to do with the preparation of this letter and its sending within 24 hours, less than 24 hours after that statement?

Mr. BELISLE. I would imagine that it did; yes, sir.

The CHAIRMAN. You say you would imagine that it did.

Mr. SOURWINE. Wasn't it discussed——

The CHAIRMAN. Why don't you come out and be frank and answer the questions?

Mr. BELISLE. Gentlemen, I am trying to be frank and answer your questions honestly.

Senator KEATING. It was discussed in this meeting; wasn't it?

Mr. BELISLE. Sir?

Senator KEATING. It was discussed in the meeting.

Mr. BELISLE. Yes; and you say, "Was this the impetus?" I say, "Well, I imagine it was." Now, how do I know it was the impetus? Senator Dodd's statements, I would imagine—I still say I would imagine—were the impetus for writing the letter.

Mr. SOURWINE. After you had written your letter did you send a copy or show the original to the Secretary of State?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Do you know if a copy was sent to him?

Mr. BELISLE. No; I do not know.

Mr. SOURWINE. Do you know if Mr. Ehrlich reported to the Secretary respecting what you had done, you and Mr. Reilly and Mr. Hill?

Mr. BELISLE. I imagine he did but I don't know.

Mr. SOURWINE. He never told you that he did.

Mr. BELISLE. No, sir.

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Senator DIRKSEN. Let me ask; your letter is dated a week ago yesterday. That is just a short time ago, November 6.

Mr. BELISLE. Right.

Senator DIRKSEN. So you had to sign your letter; didn't you?

Mr. BELISLE. Right, sir.

Senator DIRKSEN. Were there any copies attached to be initialed by anybody?

Mr. BELISLE. No, sir.

Senator DIRKSEN. No copies?

Mr. BELISLE. You said "To be initialed," sir.

Senator DIRKSEN. Well, let's break up the question. Were there copies attached?

Mr. BELISLE. Yes, sir.

Senator DIRKSEN. Did you sign any copies?

Mr. BELISLE. No, sir.

Senator DIRKSEN. How many copies were attached?

Mr. BELISLE. I think there was an original one and one for myself.

Senator DIRKSEN. Wasn't there in the left-hand corner "cc" to so and so and so and so?

Mr. BELISLE. No, sir.

Mr. SOURWINE. There were no initials to show the draft went out?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Did you sign the original of the letter that was then presented to you?

Mr. BELISLE. Yes, sir.

Mr. SOURWINE. And did you do so before, or after, making any changes in it? Did you make any changes in the letter as it was presented to you?

Mr. BELISLE. Yes, sir.

Mr. SOURWINE. How did you make those changes?

Mr. BELISLE. I think there was—well, I changed words, wording.

Mr. SOURWINE. How did you change it? Did you take a pencil and strike a word here, through here, and change a word there?

Mr. BELISLE. Well, the letter was in draft and I changed it.

Mr. SOURWINE. And the original and two carbons in draft?

Mr. BELISLE. No. Just a draft copy.

Mr. SOURWINE. You started working on a draft copy?

Mr. BELISLE. That is right.

Mr. SOURWINE. You took a pen or pencil in hand?

Mr. BELISLE. Right.

Mr. SOURWINE. And you went down the statement, the letter with this pen or pencil. Do you remember which it was, a pen or pencil?

Mr. BELISLE. No, sir.

Mr. SOURWINE. But you did have a writing instrument.

Mr. BELISLE. That is right.

Mr. SOURWINE. And you made changes in it in your own handwriting?

Mr. BELISLE. That is right.

Mr. SOURWINE. How many changes?

Mr. BELISLE. I don't recall.

Mr. SOURWINE. Do you know what became of that draft?

Mr. BELISLE. I imagine—I am sure it was thrown away.

Mr. SOURWINE. You are sure it was? Why are you sure?

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Mr. BELISLE. Because I told the girl to put it in the burn bag.
Mr. SOURWINE. You saw it thrown away?
Mr. BELISLE. No; I didn't.
Mr. SOURWINE. Who told the girl to put it in the burn bag?
Mr. BELISLE. I did.
Mr. SOURWINE. You did. And that was after it had been copied——
Mr. BELISLE. That is right.
Mr. SOURWINE (continuing). Into this clean draft which you then signed?
Mr. BELISLE. Right.
The CHAIRMAN. Who wrote the original?
Mr. BELISLE. The original of this letter here, sir?
The CHAIRMAN. Yes.
Mr. BELISLE. Mr. Ehrlich and I collaborated on it.
Mr. SOURWINE. You told us there was a draft prepared when you came in. I think that is what the Senator is talking about.
Mr. BELISLE. That is right.
The CHAIRMAN. That is what I am talking about. Who wrote it?
Mr. BELISLE. Mr. Ehrlich.
Mr. SOURWINE. Do you feel, Mr. Belisle, that this letter constitutes only amplification of your testimony, that it is not in any sense a correction of your testimony?
Mr. BELISLE. I don't think it is a correction of my testimony.
Mr. SOURWINE. You do not think it is.
Mr. BELISLE. No, sir. It is amplification.
Mr. SOURWINE. When you said to the committee, in response to a question which I asked you, that the question of the right to tap a telephone or put a listening device in an employee's office had not come up in the Department of State since you had been there, did you mean to convey to the committee that there has never been any discussion about doing this?
Mr. BELISLE. No, sir. I think I explained to Senator Dodd that I answered that question that way because you said was it the policy or do we have the right, and that never came up.
Mr. SOURWINE. Well, you must have all assumed that you had the right to do it, if you did it and never discussed whether you had the right. Isn't that correct?
Senator DODD. I didn't hear your answer.
Mr. BELISLE. I don't know how to answer that question.
Mr. SOURWINE. Well, you wouldn't have done it if you had felt that it was contrary to the Department's policy, would you?
Mr. BELISLE. Would I have done it?
Mr. SOURWINE. Yes.
Mr. BELISLE. Well, I don't really know how to answer that question. I may have or I may not have.
Mr. SOURWINE. You would have discussed it with Mr. Reilly as a possible technique or method of surveillance without mentioning the question of your right to do it——
Mr. BELISLE. No, sir.
Mr. SOURWINE (continuing). If you had felt that it was contrary to the Department policy for you to do it?
Mr. BELISLE. Would I have discussed it? Yes, I would have discussed it.

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Mr. SOURWINE. You would have discussed it as a possible technique even though you knew it was contrary to the Department's policy to do it?

Mr. BELISLE. Sure.

Mr. SOURWINE. Well, the fact is, isn't it, that the question——

Senator DODD. Mr. Sourwine, I want to be sure the witness understood that question.

Mr. BELISLE. Would I have discussed it?

Senator DODD. Well, your answer rather startles me. Do you want the committee to understand that you would do things contrary to the rules and regulations of the Department of State?

Mr. BELISLE. Well, I don't know——

Senator DODD. I think that is the way the record is now.

Mr. BELISLE. Well, if it is, Senator, I would like to change it. What I understood was: "Would I—would you discuss it," and I said: "Yes, I would discuss it".

Mr. SOURWINE. Well, Mr. Belisle, if you felt that it was contrary to the Department's policy to tap a phone or put in a listening device, wouldn't you, in connection with any discussion of it, have expressed to your superior, Mr. Reilly, your belief that it was or would be contrary to the Department's policies?

Mr. BELISLE. If I knew that it was contrary to the Department's policy and all, I am sure I would have pointed out——

Mr. SOURWINE. Now, you didn't point out any such things to Mr. Reilly: did you?

Mr. BELISLE. That is right; I didn't.

Mr. SOURWINE. Isn't it necessarily true, then, according to your testimony, that, at that time, you didn't know it to be contrary to the Deparment's policy?

Mr. BELISLE. I don't know—I didn't know whether it was the Department's policy.

Mr. SOURWINE. I see. Now, isn't it a fact that the question of tapping Otepka's telephone did come up in the State Department?

Mr. BELISLE. Oh, yes.

Mr. SOURWINE. Yes.

Mr. Chairman, I have no more questions of this witness.

Senator HRUSKA. I would like to ask the witness: When one reads a newspaper account of some matter, would you consider that information, Mr. Belisle?

Mr. BELISLE. Sir? Would I consider that——

Senator HRUSKA. If you read a newspaper account of an event, would you consider the text of that news article information on that subject?

Mr. BELISLE. Yes.

Senator HRUSKA. Suppose the reporter, instead of having communicated his account of that event in print in the newspaper, would step up to you and describe that event. Would you consider that to be information?

Mr. BELISLE. Yes. I would consider it to be information, I suppose.

Senator HRUSKA. And yet you don't feel that when this question was asked you: "Do you have any information with respect to the tapping of the telephone of Mr. Otepka?" you don't feel that what Mr. Reilly had told you about all of this wiretap business, you don't feel that that was information?

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Mr. BELISLE. Senator, I can only say that I answered that question in my own judgment. I felt this was hearsay information and I did not have firsthand knowledge of it, so therefore I answered it as I did.

Senator HRUSKA. Of course, Mr. Belisle, you didn't say: "No, sir, no firsthand information." Your answer said, "No, sir."

Mr. BELISLE. Right.

Senator HRUSKA. And you knew at that time, didn't you, that the committee was trying to get information of any kind about it and that is what the question was that was put to you; did you not?

Mr. BELISLE. I knew; yes, sir.

Senator HRUSKA. You knew that.

The CHAIRMAN. And you knew you were withholding information from this committee; did you not?

Mr. BELISLE. Sir, I did not feel I was withholding information. As I said before, I did not—it was my considered judgment that this was hearsay information and therefore I could not answer——

The CHAIRMAN. Of course, that is a pretext. You know better than that.

Mr. BELISLE. Sir?

The CHAIRMAN. That is an excuse. You know better than that.

Mr. BELISLE. That was my judgment, sir.

Senator KEATING. Had you ever taken an oath before in any proceeding?

Mr. BELISLE. Yes, sir.

Senator KEATING. Do you know the nature of that oath?

Mr. BELISLE. Yes, sir.

Senator KEATING. Do you know a part of that oath is that you will tell the whole truth?

Mr. BELISLE. Yes, sir.

Senator HRUSKA. Did you consider that you had told the whole truth in answer to the question: "Do you have any information with respect to the tapping of Mr. Otepka's telephone?"

Mr. BELISLE. Senator, in my judgment, I felt I had answered the question truthfully. That is all I can say. This was my considered judgment and I answered it that way.

Mr. SOURWINE. Do you still feel that way?

Mr. BELISLE. I still feel that this was hearsay information, of which I had no firsthand knowledge, and I answered your question, what I considered to be truthful.

Mr. SOURWINE. I take it, then, that you feel you have nothing to apologize to the committee——

Mr. BELISLE. Listen, I apologized to the committee. I apologized to the State Department for all of the newspaper publicity. I apologized to my family and everything else. But——

The CHAIRMAN. Why do you apologize?

Mr. BELISLE. Well, I apologize for getting them, getting all the publicity and I apologized to the committee for——

The CHAIRMAN. Wasn't it because you didn't tell the truth to this committee? Wasn't that the reason?

Mr. BELISLE. I apologized to them for having—to you people for thinking that I misled you, to the State Department for getting bad publicity as a result of my testimony, and to my family also.

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Mr. SOURWINE. Do you yourself feel that you have any culpability, Mr. Belisle?

Mr. BELISLE. No, sir.

Senator DIRKSEN. Any what?

Mr. SOURWINE. Culpability.

Mr. BELISLE. No, sir.

Senator DODD. Let me ask you a question. Before you testified before this committee, were you briefed or did you receive any instructions from anybody or any advice or were any suggestions made to you?

Mr. BELISLE. No, sir.

Senator DODD. None at all.

Mr. BELISLE. I got—the only advice I got was from Mr. Crockett and that is: "Well, you have to go down there and tell the truth."

Senator SCOTT. Were you so advised prior to your testimony of July 29, 1963?

Mr. BELISLE. Yes, sir.

Senator SCOTT. Mr. Belisle, a further question which was put to you was, first, whether you had any information with respect to the tapping of the telephone, and you said, "No, sir." The next question by Mr. Sourwine was, "Do you know whether this was done?"

Your answer, Mr. Belisle, was "No; I do not." And now you have said, and said in your letter, that in fact you had discussed it on your return from Costa Rica with Mr. Reilly.

Now, if that is the case, then what you said before the committee on the 29th of July 1963, was not true. Is that not a fact?

Mr. BELISLE. No, sir. I don't believe that, sir. I did not know it was done.

Senator SCOTT. Didn't you say in your subsequent letter that Mr. Reilly told you it was done?

Mr. BELISLE. Yes, sir; I have.

Mr. SOURWINE. You are taking the position, are you, that you don't know anything unless you yourself participated in it or saw it happen.

Mr. BELISLE. This is the position I take; yes, sir.

Senator SCOTT. You were, of course, actually covering your superior, Mr. Reilly, were you not, in this testimony of the 29th of July?

Mr. BELISLE. Covering him?

Senator SCOTT. Yes, because you had had a conversation with Mr. Reilly in which he told you that there had been this tap of the telephone. Nevertheless you said here you did not know. Your answer was, "No; I do not." You did not know whether this was done. This would mean, then, that when your superior makes a statement of fact to you, your answer to it indicates that you do not believe the statement of fact, and therefore are you saying here now that Mr. Reilly was not telling you the truth or that you mistrusted him or that you refused to accept as factual the statement made by your superior?

Mr. BELISLE. No, sir.

Senator SCOTT. Then what are you saying?

Mr. BELISLE. I am saying as I said before that I, in my own considered judgment, I could answer the question and did answer the question that I thought truthfully because I had no firsthand knowledge of this information——

Senator SCOTT. You didn't tell the committee you had no firsthand knowledge.

Mr. BELISLE. No, sir; I didn't.

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Senator SCOTT. To you, then, the only kind of knowledge, the only concept you have of the word "knowledge" is something you see happening; is that right?

Mr. BELISLE. Something that I can testify to; yes, sir.

Senator SCOTT. In other words, you wouldn't have any knowledge that Pearl Harbor occurred because you weren't in Honolulu at that time; is that right? Would you carry it to that extreme, and if you would not, tell us why not.

Mr. BELISLE. Well——

Senator HRUSKA. Would the Senator yield?

Senator SCOTT. I would like to get an answer to that.

Mr. BELISLE. Well, I would say I would only know what I read in the papers.

Senator SCOTT. Just as you would only know what Mr. Reilly told you.

Mr. BELISLE. Right, sir.

Senator SCOTT. And had you been asked anything about Pearl Harbor that you read in the papers, you would have commented on it, would you not?

Mr. BELISLE. Well, certain things you believe in and you don't know but you believe.

Senator SCOTT. Don't you believe in Mr. Reilly?

Mr. BELISLE. Sure, I believe in Mr. Reilly.

Senator SCOTT. I yield.

Senator HRUSKA. You would in that event, in the instance of Pearl Harbor, you would have had information about Pearl Harbor, would you not have?

Mr. BELISLE. Yes, sir. But I wouldn't have had firsthand knowledge but I would have had information.

Senator HRUSKA. Yes.

Senator KEATING. In retrospect, Mr. Belisle, when you said you had no information on this subject, don't you think it would have been better to explain what you meant by that, at that time?

Mr. BELISLE. In retrospect I think it would have been much better.

Mr. SOURWINE. You went to college, didn't you?

Mr. BELISLE. No, sir.

Senator MCCLELLAN. You know now that your answers were completely evasive, don't you, of what the committee wanted to get? You were trying to be evasive and trying to withhold the information the committee wanted.

Mr. BELISLE. Senator, I say again I did not; in my considered judgment, I did not think they were evasive.

Senator MCCLELLAN. You don't consider them not evasive? You mean to——

Mr. BELISLE. No.

Senator MCCLELLAN (continuing). You mean to sit there now and say to this committee that the answers—you gave under oath to tell the truth and the whole truth—you mean to say now they were not evasive?

Mr. BELISLE. Well, I think you can interpret——

Senator MCCLELLAN. How do you interpret them as of this minute?

Mr. BELISLE. As of this minute, as I said, not having had firsthand information, I still feel that I answered your questions correctly, sir.

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Senator McCLELLAN. You say your answers were not evasive of the truth?

Mr. BELISLE. Well, evasive of the truth.

Senator McCLELLAN. Yes. Plain, straight, evasive of the truth.

Mr. BELISLE. I don't think so; no, sir.

Senator IRUSKA. The question was "any information." It wasn't "firsthand" information and it was plain English. It said did you have any information. Can you still sit there and tell this committee that, in your considered judgment, you were telling the truth when you answered "No, sir"?

Mr. BELISLE. Senator, I said in my considered judgment I did not have firsthand information of it, and therefore that is why I answered it that way.

Senator IRUSKA. Mr. Chairman, I think that explanation is an affront to this whole committee.

The CHAIRMAN. It is.

Mr. BELISLE. I am sorry, sir.

Senator DODD. Mr. Belisle, would you answer a question today put to you as that question was by Mr. Sourwine on July 29 in the same way that you answered it that day? Supposing you are asked a similar question here today?

Mr. BELISLE. You mean after everything has transpired, Senator?

Senator DODD. Yes.

Mr. BELISLE. I suppose after everything has transpired I probably would say I have no first-hand information with respect to this.

Senator SCOTT. Mr. Belisle, did you furnish any of the information which constituted a part of the charges against Mr. Otepka?

Mr. BELISLE. Did I furnish any of the information?

Senator SCOTT. Yes.

Mr. BELISLE. Yes, sir; I did.

Senator SCOTT. What information did you furnish?

Mr. BELISLE. Well, that——

Senator SCOTT. You are now under oath. You are now under oath.

Mr. BELISLE. Yes.

Senator SCOTT. What information did you furnish?

Mr. BELISLE. Now, what are we talking about, information, sir? Are you talking about evidence that——

Senator SCOTT. I wish you wouldn't hedge with me, Mr. Belisle.

Mr. BELISLE. I am not trying to hedge. You said furnish information.

Senator SCOTT. Did you furnish information relating to the charges against Mr. Otepka?

Mr. BELISLE. Yes, sir. I had evidence that I told was taken from the burn bag. Is that what you mean?

Senator SCOTT. Yes. I mean any information, now, whether you call it first-hand——

The CHAIRMAN. Not from the burn bag, but any information.

Senator SCOTT. I am being very careful to say any information, whether it was first-, second-, or third-hand, whether it was told to you by anyone else, whether you discussed it by physical means or any manner whatsoever, leaving no opportunity for evasion whatsoever. My question is now very clearly, you said you did furnish information. What information did you furnish?

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Mr. BELISLE. I think that I furnished information on the charges with respect to what we recovered from the burn bag about the questions that Mr. Otepka prepared for us to be asked.

Senator SCOTT. By whom?

Mr. BELISLE. Sir?

Senator SCOTT. By whom?

Mr. BELISLE. By Mr. Sourwine. There is only one—I am sure that there is only one part of the evidence that I am concerned with that I furnished.

Senator SCOTT. To whom did you furnish it?

Mr. BELISLE. The evidence?

Senator SCOTT. Yes.

Mr. BELISLE. To Mr. Reilly.

Senator SCOTT. And then did you testify or give any oral or written statement in connection with the charges against Mr. Otepka?

Mr. BELISLE. I gave a written statement on the fact that this material was recovered from the burn bag on such and such a date in my presence and that I was there.

Senator SCOTT. And the material you discovered you have told us related to questions which were to be asked of other witnesses by Mr. Sourwine. That would be before the Senate Internal Security Subcommittee, would it not?

Mr. BELISLE. Right, sir.

Senator SCOTT. Now, we have had other testimony that the charges against Mr. Otepka were not because of his testimony to the subcommittee and yet, as a matter of fact, the charges, and you have just said you joined in those charges, were made because of testimony which you felt was being prepared for the counsel for this subcommittee; isn't that a fact?

Mr. BELISLE. I don't know as I understand your question, Senator.

Senator SCOTT. Well, I will restate it. You have told us that you found information which you believe was in the form of questions, which you felt were prepared by Mr. Otepka, to be asked by Mr. Sourwine, who is the counsel of this committee.

Mr. BELISLE. Right, sir.

Senator SCOTT. And that that information you discovered became a part of the charges against Mr. Otepka. I say it has been testified by others in the State Department that the charges against Mr. Otepka did not include and were not made because of any testimony by Mr. Otepka to this committee. How do you differentiate that?

Mr. BELISLE. This was not testimony of Mr. Otepka, sir.

Senator SCOTT. Well, what was the evidence you found in the burn bag?

Mr. BELISLE. I found a typewriter ribbon and the typewriter ribbon had on it "questions to be asked."

Senator SCOTT. Of whom?

Mr. BELISLE. Of me.

Senator SCOTT. Of you? Also of Mr. Otepka, were they not?

Mr. BELISLE. No, sir.

Senator SCOTT. Were there no questions there—were there no questions there which purported to be questions to be asked by Mr. Sourwine of Mr. Otepka?

Mr. BELISLE. No, sir.

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Senator SCOTT. So that you joined in the charges because you thought Otepka was after you; is that true?

Mr. BELISLE. No, sir. That is not true. I joined in the charges because, at that date, when the burn bag was opened, I was there and went through the material in the burn bag, and whatever evidence was produced from there I had to give a statement to the effect that it came out of this burn bag on such and such a date and I was there and I signed——

Mr. SOURWINE. What date was that?

Mr. BELISLE. I don't know, sir.

Mr. SOURWINE. How did you get your information which you transmitted to Mr. Reilly with regard to what was found in the burn bag?

Mr. BELISLE. How did I get my information?

Mr. SOURWINE. Yes.

Mr. BELISLE. From the burn bag.

Mr. SOURWINE. You yourself found it or were there when it was found?

Mr. BELISLE. I was there when it was found.

Mr. SOURWINE. According to Mr. Reilly's letter, which you said you had read, he got the evidence he wanted from the burn bag while you were in Costa Rica. Do you remember that?

Mr. BELISLE. Yes. That was the first—there was more than one.

Mr. SOURWINE. You continued the surveillance of the burn bag.

Mr. BELISLE. That is right.

Mr. SOURWINE. You didn't feel, then, that you had all you needed from the one burn bag in which evidence was found while you were in Costa Rica?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Why didn't you also continue the wiretap?

Mr. BELISLE. I had nothing to do with the wiretap, sir. I don't know why the wiretap.

Senator DODD. Well, I think you told us that it fizzled and that is why it——

Mr. BELISLE. That is right, sir.

Mr. SOURWINE. Mr. Chairman, may I make a suggestion off the record?

The CHAIRMAN. Proceed.

(Discussion off the record.)

Senator SCOTT. Mr. Belisle, you yourself had your own telephone system checked to see whether or not your telephone was being compromised; didn't you?

Mr. BELISLE. Yes, sir.

Senator SCOTT. Why did you do that?

Mr. BELISLE. As I said, I was getting a lot of peculiar noises on it and I would dial and get into other people's conversations. I would dial and get wrong numbers. I would dial and get a racket on the phone.

Senator SCOTT. All right. That is all.

Senator DODD. You suspected your own wire was tapped; didn't you?

Mr. BELISLE. I suspected; yes, sir. I don't know as I suspected. I wanted to find out whether it was.

Senator DODD. Well, the reason for asking is that this would indicate—to me, anyway—that you had some general knowledge that

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wiretapping was going on in the Department. Is that what you meant?

Mr. BELISLE. No. I didn't mean that, Senator.

Senator DODD. All right.

The CHAIRMAN. If I told you I killed Jim Jones and I was indicted for his murder and you were asked if you had any information about the killing and you said "No," do you think you would be withholding information? Do you think you would be committing perjury? Or do you think you wouldn't be guilty of any offense? That is exactly what you have done here.

Mr. BELISLE. I don't know.

Senator HRUSKA. You knew a little while ago. Is your memory fading? You knew a little while ago whether you would be committing perjury or not.

Mr. BELISLE. In answer to what?

Senator HRUSKA. In answer to the question whether you would have any information on a subject which was told you by a person.

The CHAIRMAN. One who was involved.

Senator DIRKSEN. Mr. Chairman, I have just one other question.

Mr. Belisle, Mr. Reilly appeared before the committee on the 6th of August this year. Then, when he testified, he said "on March 13, 1963." He was so specific. That was 6 months before he came before the committee. But he had no difficulty in pegging that date. When he said:

> On March 13, 1963, I discussed with Mr. David I. Belisle, my special assistant, a variety of investigative techniques which might be used to determine whether my suspicions were accurate.

As a result of these discussions you went to Costa Rica on the 17th.

Mr. BELISLE. Right.

Senator DIRKSEN. Mr. Reilly had no difficulty in fastening this on a specific date 4 days——

Mr. BELISLE. No, sir.

Senator DIRKSEN (continuing). Four days before you went to Costa Rica. Now, this was certainly the subject of conversation down there every day, wasn't it? Mr. Reilly speaks about discussions. I mean that Otepka matter. This was in the state of constant discussion, wasn't it?

Mr. BELISLE. The Otepka case?

Senator DIRKSEN. Yes.

Mr. BELISLE. Oh, yes.

Senator DIRKSEN. Mr. Reilly speaks about—plural—discussions. So it is fair to assume that you knew all about it, everything, because you are Mr. Reilly's special assistant.

Well, it is not material whether you answer the question, Mr. Belisle.

Mr. BELISLE. Senator, it is not that I don't want to answer your question, but if you are referring to the date, the reason that he can be specific as to the date is because the next day we picked up a burn bag and the first burn bag was picked up on the 14th of March. Some discussions, yes, I would say we had many discussions but——

Senator DIRKSEN. Every aspect of it.

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Mr. BELISLE. The only one aspect that kept—that we pursued, Mr. Senator, was the aspect of the burn bag. So we had many discussions on what we were getting and what was in them.

Senator DIRKSEN. Yes, but Mr. Reilly said here that you were discussing—he discussed with Mr. Belisle "a variety of investigative techniques which might be used."

Mr. BELISLE. That is right. I said that in the beginning.

Senator DIRKSEN. That is what Mr. Reilly said. He had these discussions with you. So the question was how to get Otto Otepka, wasn't it?

Mr. BELISLE. No. The question was to find out what information was being given.

Senator DIRKSEN. All right. Let's throw the word "question" out. The problem was how to get Otto Otepka.

Mr. BELISLE. Right.

Senator DIRKSEN. All right.

Senator HRUSKA. When did you go to Costa Rica?

Mr. BELISLE. The 17th of March.

Senator HRUSKA. When did you return?

Mr. BELISLE. As I say, I really don't know whether it was the 21st or 22d. In that period.

Senator HRUSKA. How many burn bags were searched before the fruitful search was made?

Mr. BELISLE. One.

Senator HRUSKA. That was on the 14th.

Mr. BELISLE. Yes.

Senator HRUSKA. And then there was a later one.

Senator SCOTT. Nineteenth.

Senator HRUSKA. Nineteenth. And that is where the typewriter ribbon and all these other things were found.

Mr. BELISLE. No, sir. That was—let's see—that was one which produced the carbon paper of questions.

Senator HRUSKA. When was the typewriter ribbon recovered?

Mr. BELISLE. The typewriter ribbons were recovered on different dates, sir. I really don't know the exact dates.

Senator HRUSKA. And I understood you to say there were two searches of burn bags.

Mr. BELISLE. Oh, there were more than two, sir.

Senator HRUSKA. There were?

Mr. BELISLE. Yes, sir.

Senator HRUSKA. And was your written statement to Mr. Reilly describing your delving into that burn bag and recovering therefrom these things, did that include the carbon paper to which you——

Mr. BELISLE. No, sir. I wasn't there, sir, when the carbon paper was retrieved.

Senator HRUSKA. How many burn bag inspections were there, would you say?

Mr. BELISLE. I would probably say maybe I wouldn't want to be held to this, but I would probably say 10 or 12.

Senator HRUSKA. Were you there at each of them?

Mr. BELISLE. No, sir.

Senator HRUSKA. How do you know there were 10 or 12?

Mr. BELISLE. Well, I saw the burn bags in the safe where we kept them.

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Senator HRUSKA. How do you know they were from that source? How do you know they came to the safe where you kept them for that purpose?

Mr. BELISLE. They were marked to identify them.

Senator HRUSKA. You were told?

Mr. BELISLE. No. I saw the markings right on them.

Senator HRUSKA. You saw the markings.

Mr. BELISLE. Yes, sir.

Senator HRUSKA. So you read something at that time which you construed as information or knowledge; is that true?

Mr. BELISLE. Yes, sir.

Senator HRUSKA. And as a result of that information or knowledge you concluded that they were the bags that were collected from the searches that were made for this material.

Mr. BELISLE. Right, sir.

Senator HRUSKA. Thank you, Mr. Witness.

Senator DODD. I would like to ask a question. Mr. Belisle, do you know anything about any investigation of the staff of this committee or the members of this committee conducted by the State Department?

Mr. BELISLE. Any investigation? No, sir.

Senator DODD. Never heard of any?

Mr. BELISLE. An investigation? No, sir.

Senator DODD. Well, is there any other word that you would use?

Mr. BELISLE. Well, Senator, as I said, as Mr. Sourwine asked me before, he was questioned by the FBI with respect to this. Is that what you mean, sir?

Senator DODD. Well, I mean what I asked.

Mr. BELISLE. Yes. All right.

Senator DODD. Do you know of any investigation of any nature, of the staff of this subcommittee or the members of the subcommittee?

Mr. BELISLE. The staff. Mr. Sourwine—I know that as Mr. Sourwine, as a result of Mr. Sourwine's questioning, the FBI report, he said he had been questioned by the FBI.

Senator DODD. Mr. Sourwine told you?

Mr. BELISLE. Mr. Sourwine asked me questions about that, sir, in my appearance before this committee.

The CHAIRMAN. Did you tap his telephone?

Mr. BELISLE. No, sir.

Mr. SOURWINE. Do you know of any instructions given to anyone in the staff or on the staff of the Office of Security to make any inquiries about staff members of this committee?

Mr. BELISLE. No, sir.

Senator DODD. Have you ever heard this matter discussed by anybody?

Mr. BELISLE. To do an investigation of the committee? No, sir.

Senator DODD. Anything of the kind. Had you ever heard it before I asked you today?

Mr. BELISLE. Gosh, I am not trying to hedge, Senator, but I don't know what you are driving at.

Senator DODD. It is very simple. Well, I ask you this.

Mr. BELISLE. Yes, I realize that. Did we do an investigation of the members of this subcommittee. No, sir.

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Senator DODD. I asked you have you ever heard it discussed? Was it ever suggested that there be——

Mr. BELISLE. No, sir.

Senator DODD. Never heard anything about it?

Mr. BELISLE. No suggestions that we would do anything like that.

Mr. SOURWINE. Were you ever told that inquiries about staff members of this committee of their activities had been made by anybody in the Office of Security?

Mr. BELISLE. No, sir.

Mr. SOURWINE. You were not.

Mr. BELISLE. I was not told that any inquiries were made on any members of the staff of the subcommittee.

The CHAIRMAN. Who is your next witness?

Mr. SOURWINE. I respectfully suggest we hear Mr. Ehrlich.

The CHAIRMAN. Would you stand up, please. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. EHRLICH. I do, sir.

TESTIMONY OF THOMAS EHRLICH, OFFICE OF LEGAL ADVISER, DEPARTMENT OF STATE

Mr. SOURWINE. Do you want to excuse Mr. Belisle?

The CHAIRMAN. Yes.

Senator DODD. Mr. Chairman, whatever the committee thinks, but it occurred to me we might want to ask Mr. Belisle other questions after Mr. Ehrlich.

The CHAIRMAN. Let him wait outside.

Senator DODD. I wanted to be sure the witness understood.

Mr. SOURWINE. Mr. Ehrlich, you have heard Mr. Belisle state that you conveyed to him and to Mr. Reilly the wish or instruction of the Secretary of State that letters be prepared by them amplifying or correcting their testimony.

Mr. EHRLICH. Yes, sir.

Mr. SOURWINE. Will you tell us just what instructions you did convey and when and where they were conveyed?

Mr. EHRLICH. I talked to Mr. Belisle the evening before I don't have the exact date. It was——

Mr. SOURWINE. The letter is dated November 6.

Mr. EHRLICH. The evening of the 5th, and asked for him to meet me in the office of the Legal Adviser, Mr. Chayes' office.

Mr. SOURWINE. That night.

Mr. EHRLICH. That evening.

Mr. SOURWINE. What time did you talk to him?

Mr. EHRLICH. I would say approximately 8, but that is——

Mr. SOURWINE. Did you know at that time of the discussion on the Senate floor about possible perjury?

Mr. EHRLICH. Yes, I did.

Mr. SOURWINE. How had that information come to you?

Mr. EHRLICH. As I remember it, I had seen, either seen a paper reproducing a wire, a UP or AP statement, or heard it told to me. I don't remember which.

Mr. SOURWINE. What time did Mr. Belisle come to Mr. Chayes' office?

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Mr. EHRLICH. Approximately 9 to 9:30.
Mr. SOURWINE. On the night of November 5?
Mr. EHRLICH. Yes.
Mr. SOURWINE. And how long was he there?
Mr. EHRLICH. I would say approximately 3 hours.
Mr. SOURWINE. Was Mr. Reilly there during all or most of that 3 hours?
Mr. EHRLICH. As I remember it, Mr. Belisle came first and so there was some interim of time in which—it wasn't long.
Mr. SOURWINE. That is not my question. My question is whether Mr. Reilly was there during most of the 3 hours that Mr. Belisle was there.
Mr. EHRLICH. Yes.
Mr. SOURWINE. And was Mr. Hill there during most of that 3-hour period?
Mr. EHRLICH. Yes.
Mr. SOURWINE. They all came together in response to your call. Had you received instructions from the Secretary with respect to calling them and having letters of this nature prepared?
Mr. EHRLICH. I had received a request, not directly from the Secretary but through Mr. Ball, what I understood Mr. Ball had discussed the matter with the Secretary.
Mr. SOURWINE. You got this personally from Mr. Ball?
Mr. EHRLICH. Yes.
Mr. SOURWINE. By telephone or face to face?
Mr. EHRLICH. In person.
Mr. SOURWINE. Face to face. You were called to his office, were you?
Mr. EHRLICH. Yes.
Mr. SOURWINE. And what did Mr. Ball tell you? Just tell us in your own words as best you remember.
Mr. EHRLICH. He said that he believed that it would be well from both the Department's standpoint and from the individuals' involved standpoint if they prepared letters and/or statements clarifying what actually—the events that actually took place the previous March.
Mr. SOURWINE. Did he tell you he had talked about this with the Secretary of State?
The CHAIRMAN. He already testified to that.
Mr. EHRLICH. I believe he did say he had discussed that. The matter—so I am not misleading, the matter had been discussed earlier, the possibility of the three individuals involved preparing amplifying statements.
Mr. SOURWINE. With whom or among whom had this been discussed?
Mr. EHRLICH. I had—Mr. Ball had discussed this with me and I had discussed it with both Mr. Reilly and Mr. Hill.
Mr. SOURWINE. Had you discussed it with Mr. Chayes?
Mr. EHRLICH. No.
Mr. SOURWINE. On that first occasion when you discussed it——
Mr. EHRLICH. I don't think I talked to Mr. Chayes about it.
Mr. SOURWINE. Did you ever discuss it with Mr. Chayes?
Mr. EHRLICH. Well, at the—I don't believe I discussed the statements, no, with him.

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Mr. SOURWINE. Do you mean the committee to understand—do you want the committee to understand that you received instructions indirectly from the Secretary of State through Mr. Ball in a matter of this importance and proceeded to act on those instructions without the knowledge or consent of your superior, Mr. Abram Chayes?

Mr. EHRLICH. Well, perhaps I should explain why this is so.

Mr. SOURWINE. It is so, is it?

Mr. EHRLICH. Yes. I was not acting under the instructions of Mr. Chayes. Mr. Chayes knew that I was working for Mr. Ball and I think it probably is more accurate to say that I was working for Mr. Ball rather than directly for the Secretary, at least it was through Mr. Ball.

Shortly—at some point after the committee's memorandum—10-page memorandum—was received by the Secretary, Mr. Ball asked me to look into the general—the matters that were covered in that memorandum, for him directly, and not with Mr. Chayes, in other words, that I was to be detailed to work for Mr. Ball.

Mr. SOURWINE. I see. And did you do this?

Mr. EHRLICH. Yes; I did.

Mr. SOURWINE. What conclusion did you reach with respect to those matters?

Mr. EHRLICH. Well, there were 10 pages of matters and all of them frankly, the purpose of my doing this was to work with the Secretary in preparing his statement, his testimony before you, I believe it was 3 weeks ago.

Mr. SOURWINE. Did you reach any conclusion as to whether any of the statements in that 10-page memorandum were false or misleading or in any way untrue?

Mr. EHRLICH. Well, I reached a number of conclusions about them. I frankly would have to see the statements before I could comment about them.

Mr. SOURWINE. Did you find any of the statements in that 10-page statement which in your judgment were untrue or misleading?

Mr. EHRLICH. Yes; I did.

Mr. SOURWINE. Did you convey this impression to Mr. Ball?

Mr. EHRLICH. Yes; and I prepared—yes, I did, and to the Secretary.

Mr. SOURWINE. And to the Secretary.

Senator DODD. You are referring to the memorandum which you and I put to the Secretary in writing?

Mr. SOURWINE. Yes, sir.

Did you convey this in writing?

Mr. EHRLICH. I gave the Secretary part of my judgments in writing and part orally.

Mr. SOURWINE. You prepared a memorandum or in a sense an analysis, of at least some of the portions of that statement.

Mr. EHRLICH. Yes.

The CHAIRMAN. You never did finish your first answer now.

Mr. EHRLICH. Excuse me?

The CHAIRMAN. I said, did you finish your first answer? You conveyed a memorandum and discussed your impressions. Is that with the Secretary?

Mr. EHRLICH. There were a number of issues raised in the memorandum, in the committee's memorandum, and I gathered together

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material for the Secretary and prepared some memorandums myself and discussed a few of the points with the Secretary.

Mr. SOURWINE. Can you remember any one statement in the committee's memorandum which you concluded was false or misleading?

Mr. EHRLICH. Sir, without making that—before making that specific statement, I would want to see the memorandum because that would be a serious charge on my part.

Mr. SOURWINE. Can your conclusions, as written, with respect to any of the statements in this memorandum or any other matters in connection with it, as conveyed in writing to Mr. Ball, and/or the Secretary of State, be furnished to this committee?

Mr. EHRLICH. I would have to ask my superiors.

Mr. SOURWINE. May the request be that this be done; that they be furnished, if the Secretary will permit it?

The CHAIRMAN. What is the pleasure?

Senator DIRKSEN. I think so.

Senator MCCLELLAN. I think he has a duty or right to say that he wants to do it with the permission of his superiors.

Mr. SOURWINE. Yes. I thought I had included that.

Senator MCCLELLAN. Maybe you did, but I think he has that right.

Mr. SOURWINE. I suggest the order be that he ask for it and that it be furnished if the Secretary permits it.

Senator MCCLELLAN. I think that is all right.

Senator DIRKSEN. I so move it.

The CHAIRMAN. All in favor say "aye."

(Chorus of "ayes.")

The CHAIRMAN. The "ayes" have it. So voted.

Senator DODD. Before we leave the subject, don't you remember generally whether you thought that any of the material in that memorandum submitted to the Secretary of State was true or false?

Mr. EHRLICH. Well, Senator, I am frankly concerned about my own statement that something is false without seeing what it is in front of me and my impression is that the memorandum was to the Secretary, and I gave him some of my own views and I don't want to——

Mr. SOURWINE. I tried to make it clear that we were not making you make a charge. I simply asked if you reached conclusions. You are entitled to reach conclusions. You are a lawyer. You were analyzing something and you said you did reach conclusions, and we are simply trying to find what your conclusions are as conveyed to Mr. Ball and the Secretary.

Mr. EHRLICH. Yes.

Mr. SOURWINE. That is clear, isn't it?

Mr. EHRLICH. Yes.

Mr. SOURWINE. Now, on the occasion that you first talked with Mr. Ball about having such letters written, did you and he part with the understanding that he would check with the Secretary or clear with the Secretary on it or talk with the Secretary about it and let you know the Secretary's view?

Mr. EHRLICH. Well, did I make myself clear that the—that prior to the—if that letter was dated the 8th, did you say——

Mr. SOURWINE. Dated the 6th.

Mr. EHRLICH. Prior to the day of the 5th, Mr. Ball and I and Mr. Reilly and Mr. Hill and I had discussed this subject matter. I didn't want the impression left that this was the first time.

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Mr. SOURWINE. No. I understood that.

Mr. EHRLICH. On this day when Mr. Ball asked me to convey this to Mr. Reilly, Mr. Hill, and Mr. Belisle, I can't honestly say that he specifically said he had talked to the Secretary before or afterward. I must say it is my impression that he talked with the Secretary at one point before or after.

Mr. SOURWINE. I understand, but you had told us on earlier occasions you discussed the possibility of such letters with Mr. Ball.

Mr. EHRLICH. Yes.

Mr. SOURWINE. How, I am asking you.

Mr. EHRLICH. Well, discussed the possibility of statements.

Mr. SOURWINE. Yes.

Mr. EHRLICH. By the three. Whether they would be in letter form to the committee - -

Mr. SOURWINE. All right. Statements clarifying or amplifying or correcting.

Mr. EHRLICH. That is right.

Mr. SOURWINE. Now, I am asking whether, on that occasion when you first discussed that with Mr. Ball, you and he parted with the understanding that he was going to take it up in some way with the Secretary and let you know later what the order would be.

Mr. EHRLICH. Now, I know it was discussed in my presence with the Secretary.

Mr. SOURWINE. By Mr. Ball?

Mr. EHRLICH. By Mr. Ball and- - -

Mr. SOURWINE. Did you participate in that discussion?

Mr. EHRLICH. The most accurate answer I can give is: To the best of my recollection, there was a conversation with the Secretary and Mr. Ball concerning this subject.

Mr. SOURWINE. And did the Secretary then, to you or to Mr. Ball in your presence, indicate that he favored the writing of such statements or that he wished to see this done?

Mr. EHRLICH. That he did wish to see statements prepared.

Mr. SOURWINE. So that thereafter when you conveyed to Mr. Belisle and Mr. Reilly and Mr. Hill the Secretary's desire that this be done, you were conveying to them something that you had yourself heard the Secretary express as his wish.

Mr. EHRLICH. No, because- - I don't mean a flat no. I mean that the time the Secretary—I remember hearing the Secretary discuss this—was several days before the 5th. The time, the day of the 5th I don't—as I remember it, I don't know that I talked to the Secretary about this.

Mr. SOURWINE. Then the Secretary's expression with respect to the desire that clarifying or amplifying or correcting statements be made was expressed to Mr. Ball in your presence at a time several days prior to the colloquy on the floor between Senator Dodd and Senator Thurmond.

Mr. EHRLICH. Yes.

Mr. SOURWINE. Who prepared these letters? Did you?

Mr. EHRLICH. The letter of Mr. Belisle, the first letter—I had discussed the problem with Mr. Belisle and I had understood that this was what—how he would amplify his statement, and so I did prepare a draft of what I thought—what my understanding of his contentions were. As I remember it, when he came in I read it to him orally. I didn't show him the piece of paper, as I remember it.

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My next positive memory is that it was typed and then he went over it.

Mr. SOURWINE. Did he make any changes?

Mr. EHRLICH. I know he made changes. Whether he made changes as I read it or only after it was typed and then, I don't remember, nor do I remember exactly how much——

Mr. SOURWINE. You heard him testify here under oath that he took a writing instrument in his hand and sat down and physically made corrections in the statement.

Mr. EHRLICH. Yes.

Mr. SOURWINE. Do you doubt that that is true?

Mr. EHRLICH. No.

Mr. SOURWINE. Does your memory tell you that that happened?

Mr. EHRLICH. Yes. I remember him going over in pencil. What I said was whether he made earlier corrections when I—earlier changes when I read it, I am not sure.

Mr. SOURWINE. I see. Now, did you also prepare a draft of the letter to be signed by Mr. Reilly?

Mr. EHRLICH. Yes, I did.

Mr. SOURWINE. And did you similarly prepare a draft of a letter to be signed by Mr. Hill?

Mr. EHRLICH. Yes, I did.

Mr. SOURWINE. In each case after consultation with them as to what the facts were?

Mr. EHRLICH. Yes.

Mr. SOURWINE. And they knew at the time they were consulting with you for the purpose of having you prepare such a draft.

Senator HRUSKA. Would counsel yield? Excuse me. Go ahead and answer.

Mr. EHRLICH. Well, I had discussed the facts with both Mr. Reilly and Mr. Hill and the Secretary's feeling that amplifying statements should be made. As I say, I don't remember before that night discussing a letter as opposed to the statement.

Mr. SOURWINE. I see. Now, what happened to the first drafts of each of these letters?

Mr. EHRLICH. As I remember it, the secretary who was there that night took them.

Mr. SOURWINE. By "secretary," you don't mean the Secretary of State, I take it. You mean——

Mr. EHRLICH. Excuse me.

Mr. SOURWINE (continuing). The girl who was the typist-stenographer.

Mr. EHRLICH. Typist-stenographer; took them and it was my understanding she would destroy them.

Mr. SOURWINE. Yes. She was given those instructions in your hearing.

Mr. EHRLICH. Yes.

Mr. SOURWINE. The second draft, the one which intervened between the first draft which you read and the final draft which was signed, what happened to that in each instance?

Mr. EHRLICH. I believe all papers—as I remember it—of that, except the final version, were also given to the typist-stenographer for destruction.

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Mr. SOURWINE. Do you want the committee to understand there is nothing in your files or the files of the Department with respect to these letters except copies of the letters identically as signed? Is that the fact?

Mr. EHRLICH. Of these letters?

Mr. SOURWINE. Yes.

Mr. EHRLICH. Well, I don't think that there is anything in my file, any earlier draft of that letter. I will check, however, to be sure.

Mr. SOURWINE. Well, I asked a broader question and I intended it to comprehend any memorandums or written instructions with respect to them or any working papers in connection with them. Is there anything of that nature in the files of the Department to your knowledge?

Mr. EHRLICH. Well, Mr. Reilly and Mr. Hill did prepare early drafts themselves of statements beforehand. Now, I think I have a copy of that. I am not positive but I think I do. Whether——

Mr. SOURWINE. May we ask also, Mr. Chairman, that the request be made for these copies.

The CHAIRMAN. Is that OK?

Senator DIRKSEN. All right.

The CHAIRMAN. All in favor say "Aye."

(Chorus of "Ayes.")

The CHAIRMAN. Opposed, "No."

Unanimous.

Mr. SOURWINE. It is understood you request and they be furnished if the Secretary permits it.

Mr. EHRLICH. Yes. Whether I have other pieces of paper in my file that were drafts of these statements, I don't think I do. I don't remember that I do.

(Editor's note: The material referred to has not been furnished to the committee.)

Mr. SOURWINE. I have just one more question. Was a copy of each of these letters or any one of them furnished to the Secretary of State or sent to his Office?

Mr. EHRLICH. He, I know, saw them. I don't think he read them. In other words, he saw the papers. I don't think he read them over, though, before they came to the committee.

Mr. SOURWINE. Did he see them after they were signed or before?

Mr. EHRLICH. After they were signed.

Mr. SOURWINE. After they had been signed. How did he see them? Did you show them to him?

Mr. EHRLICH. No. I believe Mr. Ball did.

Mr. SOURWINE. Mr. Ball took them to the Secretary?

Mr. EHRLICH. Yes.

Mr. SOURWINE. Were you present at the time?

Mr. EHRLICH. Yes, I was.

Mr. SOURWINE. And did Mr. Ball hand them to the Secretary?

Mr. EHRLICH. Yes.

Mr. SOURWINE. Did he look at them?

Mr. EHRLICH. He glanced at them. I don't think he read them carefully.

Mr. SOURWINE. Did he look at them one by one or did he just look at the top one?

Mr. EHRLICH. I honestly don't remember other than it is my best recollection that he did not at least read one through carefully.

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Mr. SOURWINE. But you do know that Mr. Ball handed them to him.
Mr. EHRLICH. Yes.
Mr. SOURWINE. He had them in his hand and he was told what they were, is that right?
Mr. EHRLICH. Yes.
Mr. SOURWINE. He knew what they were.
Mr. EHRLICH. Yes.
Mr. SOURWINE. And then he handed them back. What did he say?
Mr. EHRLICH. I don't remember that he said anything.
Mr. SOURWINE. Well, did he indicate that it was all right, go ahead, send the letters?
Mr. EHRLICH. Yes.
Mr. SOURWINE. Yes, he did.
I have no more questions, Mr. Chairman.
Senator HRUSKA. Questions were asked here, Mr. Witness, about the preparation of the signature of the letter.
Mr. EHRLICH. Yes.
Senator HRUSKA. Do the answers which you gave in regard to that also apply to the statements which were appended to the letters of Mr. Reilly and Mr. Hill? The supplementary statements?
Mr. EHRLICH. Well, as I stated earlier, Senator, Mr. Hill and Mr. Reilly both did prepare drafts of statements themselves and those were used in preparing the subsequent drafts which were in turn revised before they became the final version.
Mr. SOURWINE. But, Mr. Ehrlich, when the Secretary of State had handed to him by Mr. Ball these three letters, he didn't just give him the covering letters in the case of Reilly and Hill. He gave him the whole thing, including the attached statement in each instance; is that right?
Mr. EHRLICH. Yes, sir.
Mr. SOURWINE. He gave him the originals with the signatures on them?
Mr. EHRLICH. Yes.
Mr. SOURWINE. I have no more questions.
Senator HRUSKA. Now, Mr. Belisle did not attach to his letter any supplementary statement.
Mr. EHRLICH. No, sir.
Senator HRUSKA. Why was that?
Mr. EHRLICH. Because, in his judgment, none was necessary.
Senator HRUSKA. Did he, by reference in that letter—did he not approve the substance, the accuracy of the supplemental statement that was attached to Mr. Reilly's letter?
Mr. EHRLICH. I could not answer whether he intended to approve Mr. Reilly's and Mr. Hill's statements. That would have to be his judgment.
Senator DODD. Well, he had read them, I assume.
Mr. EHRLICH. Yes.
Senator HRUSKA. The language in his letter is this:

After a review of my testimony I would like to amplify my responses to Mr. Sourwine's questions by stating that Mr. Reilly mentioned to me the events which I understand he has described to you in a separate letter and accompanying enclosure.

Now, during the consultation that you had among you on the occasion when these letters were drafted and signed, were there any state-

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ments by Mr. Belisle—that he wrote—to mean that he was approving the general substance of Mr. Reilly's supplemental statement?

Mr. EHRLICH. I don't remember Mr. Belisle ever saying that.

Senator HRUSKA. You don't.

Mr. EHRLICH. I honestly don't.

Senator HRUSKA. Now, was it left to each of them to determine whether or not they would supplement their letter with a statement?

Mr. EHRLICH. Yes, sir.

Senator HRUSKA. And Mr. Belisle seemed to be reluctant to do so?

Mr. EHRLICH. No, sir. What I meant in answering "yes" to your prior question was that it was entirely up to them whether to prepare any statement with a letter, although as Mr. Belisle said, he did receive a request from the Secretary through me.

Mr. SOURWINE. But you had these drafts prepared, did you not? You had a draft ready when the men came.

Mr. EHRLICH. Yes.

Mr. SOURWINE. And in the case of Mr. Reilly and Mr. Hill, didn't that draft consist of a covering letter and a statement to accompany it?

Mr. EHRLICH. Yes.

Mr. SOURWINE. In each of those two instances.

Mr. EHRLICH. Yes.

Mr. SOURWINE. You are a lawyer, sir.

Mr. EHRLICH. Yes.

Mr. SOURWINE. In your judgment are these letters and statements in each case merely supplemental or clarifying or do they correct the testimony previously given?

Mr. EHRLICH. Sir, if as I understand your question, the thrust of your question, it is whether one or more of the individuals committed perjury, and I think before—I could not give that legal judgment without a very, very careful answer.

Mr. SOURWINE. I didn't ask you that.

Mr. EHRLICH. That is the way I understood it.

Mr. SOURWINE. Let's get it clear because I don't want the record to show I am asking you to pass on the question of perjury. That is for a grand jury or a court only.

You prepared these drafts.

Mr. EHRLICH. Yes.

Mr. SOURWINE. Did you intend in preparing them only to clarify or amplify or did you intend to correct testimony previously given?

Mr. EHRLICH. The instructions I received were to request the individuals involved to set forth the facts and that is——

Mr. SOURWINE. That doesn't answer the question.

Mr. EHRLICH. That is what I thought I was——

Mr. SOURWINE. You prepared certain drafts.

Mr. EHRLICH. Well, it was after consultation with them.

Mr. SOURWINE. Yes.

Mr. EHRLICH. That is right.

Mr. SOURWINE. But in your preparation of these drafts, which was a proper task for a lawyer, were you seeking only to amplify and clarify or did you recognize that these drafts, including the statements in the Reilly and Hill case, did in fact correct testimony previously given?

Mr. EHRLICH. I am afraid on the word "correct" by itself I don't know what you mean.

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Mr. SOURWINE. Is there any doubt in your mind that the statements furnished by Mr. Hill and Mr. Reilly are diametrically opposed—in several instances in each case—to the testimony which they gave here under oath?

Mr. EHRLICH. Sir, I respectfully say that, for the same reason I said at the outset, if they are diametrically opposed, I would interpret that to mean that one of the two was not true.

Mr. SOURWINE. Of course it means one of the two is not true but we are not asking you to reach a legal conclusion with regard to perjury. We are only asking you, as a lawyer, to state whether you recognize that the statement and the testimony in each case are in fact in conflict.

Mr. EHRLICH. If one of the two statements is not true, and it was the statement under oath, there is some chance of the problem arising at the very least.

Senator SCOTT. Mr. Chairman——

Mr. SOURWINE. May I ask just one more, Senator, please.

Mr. EHRLICH. I am not trying to evade you. I am just trying to concern——

Mr. SOURWINE. Is it your judgment, in the case of Mr. Reilly and Mr. Hill, both their testimony in totality and the statement furnished with their letters of November 6 in totality can be true?

Mr. EHRLICH. I haven't given the statements the kind of analysis that would be necessary to come to answer your question in light of the problem I disposed——

Mr. SOURWINE. When you prepared these drafts, were you trying to make them speak the full truth as you had best ascertained it?

Mr. EHRLICH. Yes, sir.

Mr. SOURWINE. Thank you.

Senator SCOTT. Mr. Chairman, I believe the witness did testify in answer to an earlier question that, in his own judgment, statements appearing in the testimony which we are discussing were untrue or misleading and he answered that categorically.

Mr. EHRLICH. Excuse me.

Senator SCOTT. We can read your answer back.

Mr. EHRLICH. I would appreciate it if you would.

Senator SCOTT. After some momentary hesitancy you said, as I recall it, that some statements made in the prior testimony by witnesses we are discussing here, the question was, in your opinion, were they untrue or misleading and you said, "Yes, they were."

Now, was that answer in reference to this testimony or was it in reference to a 10-page memorandum?

Mr. EHRLICH. Senator——

Senator SCOTT. I just want to clarify that.

Mr. EHRLICH. Mr. Sourwine asked me, as I remember it, whether I thought any of the statements in the 10-page memorandum prepared for the Secretary by the committee were untrue or misleading. As I remember it, I said, and I would say now, that I was concerned about making that kind of accusation without seeing the full statement before me and as I said, I know only part of all the facts. But certainly that statement was made in regard to the committee's memorandum and not to the testimony here.

Senator SCOTT. That helps clarify it in my mind. But there are statements which can be made if something is red on one occasion

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and someone can say it is green on another and that, of course, does not constitute perjury. As I understand the questions being asked by counsel, he is not asking you to pass on conclusions of law, nor is he even asking you to pass on whether certain questions are relevant to the inquiry, but whether or not, in your judgment, when Mr. Reilly and Mr. Hill say in their letter which you drafted—each of them say substantially the same thing—"My response to these questions were, I believe, accurate," as Mr. Reilly put it. What we are trying to find out is: In drafting this, did you associate yourself with that conclusion, that what they had previously said was accurate, and therefore what they are saying in these later statements of November 6 does not present any new view of those statements other than something which you call amplification?

Mr. EHRLICH. Senator, I set down, as I understood it, in the case of Mr. Belisle's letter, Mr. Belisle's views on the subject.

Senator SCOTT. You don't necessarily associate yourself with——

Mr. EHRLICH. No, sir.

Senator SCOTT (continuing). ——with Mr. Reilly and Mr. Belisle or Mr. Hill's interpretations of their prior testimony.

Mr. EHRLICH. No, sir.

Senator SCOTT. I was trying to clarify that.

Mr. EHRLICH. Excuse me.

Senator SCOTT. In your relationship as a lawyer I didn't think you meant to say that.

That is all.

Mr. SOURWINE. When you drafted the Belisle letter, did you have in that draft the reference to Mr. Reilly's letter and statement?

Mr. EHRLICH. I believe I did.

Mr. SOURWINE. Did you intend by that inclusion to have Mr. Belisle's letter support the Reilly statement and letter?

Mr. EHRLICH. I didn't intend it to do anything other than convey Mr. Belisle's own intentions.

Mr. SOURWINE. Well, did you understand Mr. Belisle's intentions in this regard or think you did?

Mr. EHRLICH. Insofar as supporting Mr. Reilly's statement?

Mr. SOURWINE. Yes.

Mr. EHRLICH. I didn't believe it was submitted in support of Mr. Reilly's testimony.

Mr. SOURWINE. You did not. You included it in the draft without believing that it was intended to support Mr. Reilly's——

Mr. EHRLICH. Or not in support. I just thought it was an amplification of Mr. Belisle's own statement.

Mr. SOURWINE. I don't see any point in belaboring it, Mr. Chairman.

Senator SCOTT. I have just one other question if the chairman will permit.

You spoke about the earlier conversation with Under Secretary Ball and, as I recall it, you said you discussed with George Ball the matter of amplification, or I believe you—yes, I think you used the word "amplification," perhaps clarification of the testimony of these three witnesses.

Now, isn't it more likely, Mr. Ehrlich, that George Ball said to you something like this: These three fellows have gotten themselves tangled up or gotten themselves in some trouble with the committee. Why

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don't you meet with them and see if you can straighten them out and write some letters?

Isn't that more likely the way the discussion ran, and you used these long words, amplification or clarification?

Mr. EHRLICH. The words I used, Senator, were the ones I thought conveyed the substance of what Mr. Ball said to me.

Senator SCOTT. Well, let's get to the statements Mr. Ball made. Did he in fact say something to you with regard to these fellows have gotten themselves in a mess with the committee or they are all tangled up or something? Will you see what you can do to straighten the situation out? Was anything like that said by George Ball?

Mr. EHRLICH. I honestly don't remember the words that Mr. Ball used, Senator. I would be guessing if I tried to say. I know that Mr. Ball conveyed to me that I request the three gentlemen to submit statements and what he said with it I honestly don't remember.

Senator SCOTT. Amplification or clarification would in fact be a conclusion on Mr. Ball's part before he had all the information before him, wouldn't it?

Mr. EHRLICH. If I conveyed that impression, then it was a—I conveyed a misleading impression because I don't think that Mr. Ball had.

Mr. SOURWINE. You told us, did you not, that Mr. Ball had indicated to you that he thought, or the Secretary, or both, that it would be better for these individuals and better for the Department if they did send letters and statements up here?

Mr. EHRLICH. Yes.

Mr. SOURWINE. Why did you understand it would be better for the Department and why did you understand it would be better for the individuals if this were done?

Mr. EHRLICH. It was my impression that—I can only say it was my impression that he felt that the committee did not know the events that Mr. Reilly, Mr. Hill sent their statements about, and that the committee should know.

Mr. SOURWINE. Isn't it perfectly clear, Mr. Ehrlich, that the then present state of the record was unsatisfactory to the Department and they wanted the record in some way amended or clarified?

Mr. EHRLICH. Yes. That I think is fair.

Mr. SOURWINE. I have nothing more.

The CHAIRMAN. Any further questions?

Would the staff step out.

(Whereupon, at 12:35 p.m., the reporter was excused.)

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